

Remarks**I. Status of the Application**

Claims 1-42 are pending in the application. Claim 21 is amended. Claims 39-42 are added.

II. Amendments to the Abstract

The Examiner has recommended that the Abstract be amended to be no more than 150 words in length. The Abstract has been amended accordingly. No new matter has been added.

III. Claim Rejections - 35 USC § 102

Claims 1-5, 7-13, 16-23, 25-31, and 34-38 have been rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 6,385,312 (“Shaffer”). Claim 21 is amended and the rejection is respectfully traversed.

Claim 1

Claim 1 defines a method for routing a call from a communications device to a call center. Claim 1 requires “receiving the call at a first call center, the call being routed to the first call center based on a communications device identifier,” and “determining the geographic vicinity of the communications device.” Claim 1 further requires “routing the call to a second call center if that second call center is closer to the geographic vicinity of the communications device than the first call center.”

Shaffer discloses a system and method for routing telephone calls to a service location closest to the caller. A call is routed by one or more telephone companies to an intelligent switch, based on the number dialed and the caller's long distance carrier. (Col. 16, lines 15-24). The switch pulls the caller's telephone number from the "calling information packet." (Col. 16, lines 26-37). A look-up function is performed to determine a zip code associated with the calling number. (Col. 17, lines 49-67). A first table is consulted to identify the zip code, for example. In another example cited by the Examiner, the location of the caller is identified by looking up the latitude and longitude associated with the caller's telephone number in a look-up table. (Col. 51, lines 26-39). A second table is examined to identify a telephone number associated with a closest location or a service location associated with the identified zip code. (Col. 18, lines 1-25). After finding the zip code and the corresponding service telephone number, the switch sends an information packet over the telephone network to ring at the identified telephone number. (Col. 18, line 65 - col. 19, line 2).

In a disclosed example, Shaffer receives a call to "1-800-ITALIAN" from a caller wishing to order pizza. (Cols. 16-19). A lookup table is consulted and the call is routed to the telephone at a MyPizza restaurant located at a selected location.

Shaffer does not teach or suggest a call "being routed to the first call center based on a communications device identifier," as required by claims 1. (Emphasis added). In the example discussed above, Shaffer discloses a call to a dialed number being routed to an intelligent switch "based on the 1-800 dialed and the caller's long distance carrier." The call is not routed to the intelligent switch based on a "communications device identifier," as claimed. Shaffer does not show any other call being routed to a "first call center" based on a "communications device identifier," either.

None of the other cited art teaches or suggests this limitation, either. Therefore, claim 1 and its dependent claims are not anticipated by Shaffer.

Claim 21

Claim 21 has been amended to require “a switch for routing a call to a first call center based on a communications device identifier.” For the reasons set forth above with respect to claim 1, Shaffer does not teach or suggest this limitation. Therefore, claim 21 and its dependent claims are not anticipated by Shaffer.

IV. Claim Rejections - 35 USC § 103**Claims 6 and 24**

Claims 6 and 24 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Shaffer in view of U.S. Patent Publication No. 2003/0087647 (“Hurst”). The rejection is respectfully traversed.

Claims 6 and 24 depend from claims 1 and 21, respectively. For the reasons set forth above, claims 1 and 21 are patentable over the cited art. Therefore, claims 6 and 24 are also patentable over the cited art. The dependent claims also recite patentable limitations.

Claims 14-15 and 32-33

Claims 14-15 and 32-33 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Shaffer in view of U.S. Patent Publication No. 2001/0028649 (“Pogossiants”). The rejection is respectfully traversed.

Claims 14-15 depend from claim 1. Claims 32-33 depend from claim 21. For the reasons set forth above, claims 1 and 21 are patentable over the cited art. Therefore, claims 14-15 and 32-33 are also patentable over the cited art. The dependent claims also recite patentable limitations.

V. New Claims 39-42

New claim 39 defines a method for routing a call from a communications device to a call center. New claim 39 requires “receiving at a first call center a call from a caller via a communications device, the call center comprising at least one operator capable of communicating with a caller by voice” and “determining the geographic vicinity of the communications device.” New claim 39 also requires “routing the call to a second call center if that second call center is closer to the geographic vicinity of the communications device than the first call center.” Support for new claim 39 is found at page 2, line 17 - page 3, line 8, and at pages 9-10, for example.

None of the cited art teaches or suggests the combination of new claim 39. For example, none of the cited art teaches or suggests “receiving at a first call center a call from a caller via a communications device, the call center comprising at least one operator capable of communicating with a caller by voice,” and “routing the call to a second call center if that second call center is closer to the geographic vicinity of the communications device than the first call center,” as required by new claim 39. Therefore, new claim 39 and its dependent claims are patentable over the cited art.

Claims 40-42 define patentable features described in the specification. No new matter is added.

VI. Conclusion

In view of the foregoing, each of claims 1-42, as amended, is believed to be in condition for allowance. Accordingly, reconsideration of these claims is requested and allowance of the application is earnestly solicited.

Respectfully submitted
KAYE SCHOLER LLP,

Date: December 12, 2007

By 
Brandon N. Sklar
Reg. No. 31,667
212-836-8653

425 Park Avenue
New York, NY 10022